

**Before the
Federal Communications Commission
Washington, D.C. 20554**

FCC 02M-105
01741

In the Matter of

Application of

ECHOSTAR COMMUNICATIONS CORP.,
(a Nevada corporation), **General Motors**
Corporation, and **Hughes Electronics**
Corporation (Delaware Corporations

(Transferors)

and

ECHOSTAR COMMUNICATIONS
CORPORATION (A Delaware Corporation)

(Transferee)

CS Docket No. 01-348

ORDER

Issued: November 25, 2002

Released: November 26, 2002

The Notice of Appearance and Motion to Accept Late-filed Appearance filed by American Cable Association ("ACA") on November 21, 2002, is being granted.

The Presiding Judge is authorized to grant extensions of time **as** a matter of discretion and is not required to await the completion of a pleading cycle. See 47 C.F.R. §1.298 (as matter of discretion requests for extensions of time may be ruled upon ex parte without awaiting responsive pleading).

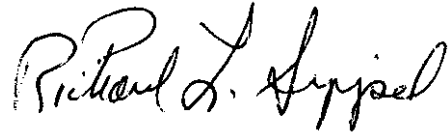
The time for filing a Notice of Appearance in this case pursuant to Section 1.221 (c) of the Commission's Rules was November 18, 2002. *See In the Matter of EchoStar Communications Corporation, et al., Hearing Designation Order FCC 02 - 284 ("HDO")* released October 18, 2002 at Para. 296. As indicated in Para. 297 of the *HDO*, ACA was determined by the Commission to qualify **as** a party in interest and was invited to file a Notice of Appearance. There **is** no apparent prejudice to the other parties by confirming ACA's already determined party status under Section 1.221(d) of the Commission's Rules. *Id.* Moreover, the fact that the filing is only three days late and the fact of the determination by the Commission that ACA should receive party status outweigh any

concerns about *de minimis* tardiness.' For the same reason, it **is** determined that ACA **has** made a sufficient showing of good cause. See 47 C.F.R. §1.221 (e).

Accordingly, IT **IS** ORDERED that American Cable Association's Motion to Accept Late filed Appearance **IS** GRANTED.

IT **IS** FURTHER ORDERED that the Notice **of** Appearance **of** American Cable Association **IS** ACCEPTED.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Richard L. Sippel". The signature is fluid and cursive, with the first name "Richard" and last name "Sippel" being the most legible parts.

Richard L. Sippel
Chief Administrative Law Judge

¹ This discretionary ruling shall not be precedent for other requests for additional time. Each request for additional time or for party status is decided on its own merits. *Cf. Memorandum Opinion and Order* 02M-103, released November 20, 2002 (denying petition to intervene of entity that was unrelated to this proceeding).